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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 RICHARD BARRON,

12 Plaintiff,

No. CIV S-04-1197 GEB GGH P

13 vs.

14 DR. USHA PAI, et al.,

15 Defendants.

ORDER

16 \_\_\_\_\_/  
17 Plaintiff, a state prisoner proceeding pro se, has  
18 filed this civil rights action seeking relief under 42 U.S.C.  
19 § 1983. The matter was referred to a United States Magistrate  
20 Judge pursuant to 28 U.S.C. § 636(b) (1) (B) and Local General  
21 Order No. 262.

22 On June 30, 2005, the magistrate judge filed findings  
23 and recommendations herein which were served on all parties and  
24 which contained notice to all parties that any objections to the  
25 findings and recommendations were to be filed within twenty days.  
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1 Neither party has filed objections to the findings and  
2 recommendations.

3 The court has reviewed the file and finds the findings  
4 and recommendations to be supported by the record and by the  
5 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED  
6 that:

7 1. The findings and recommendations filed June 30,  
8 2005, are adopted in full; and

9 2. Defendants Leramo and Pendleton are dismissed  
10 without prejudice. See Fed. R. Civ. P. 41(b).

11 Dated: August 22, 2005

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13 /s/ Garland E. Burrell, Jr.  
14 GARLAND E. BURRELL, JR.  
15 United States District Judge  
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